

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:17-CR-29-D

UNITED STATES OF AMERICA

v.

CHARLES MALCOLM SPIVEY, JR.,

Defendant.

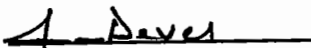
ORDER

On September 15, 2021, Charles Malcolm Spivey, Jr. ("Spivey" or "defendant") moved for early termination of supervised release [D.E. 72]. Spivey's supervised release began on December 4, 2018. On September 28, 2021, the government responded in opposition [D.E. 75].

In deciding whether to grant Spivey's motion for early termination of supervised release, the court has considered the entire record. Spivey engaged in serious criminal conduct by failing to register as a sex offender after convictions for indecent liberties with a child. See PSR [D.E. 49] ¶¶ 6–11, 16, 22, 25. On February 6, 2018, this court sentenced Spivey to 10 months' imprisonment and 5 years' supervised release. See [D.E. 57] 1–2. Spivey has taken some positive steps since his conviction while on supervised release. See [D.E. 72]; cf. Pepper v. United States, 562 U.S. 476, 491 (2011).

In light of the record, the court finds that he needs continued supervision. Spivey's motion for early termination of supervised release [D.E. 72] is DENIED.

SO ORDERED. This 18 day of October, 2021.


JAMES C. DEVER III
United States District Judge